

celed, nor shall it apply to any subsequently acquired pre-emption or homestead right legally acquired."

The committee amendment was adopted.

(Senator Pope in the chair.)

Senator Sims offered the following amendment:

Amend by adding at the end of bill an emergency clause as follows: Sec. 2. The necessity for the passage of this bill and the near approach of the close of the present session of the legislature creates an imperative public necessity, that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted, and that this act take effect and be in force from the passage, and it is so enacted.

Senator Townsend moved to adjourn to 10 a. m. tomorrow.

Adopted by the following vote:

YEAS—14.

Atlee,	Johnson,	Simkins,
Burney,	Kimbrough,	Townsend,
Clemens,	Mott,	Weisiger,
Crane,	Page,	Whatley.
Glasscock,	Seale,	

NAYS—11.

Finch,	Kearby,	Pope,
Frank,	Kimbrough,	Sims,
Garwood,	Lubbock,	Stephens.
Harrison,	Maetze,	

SIXTY-NINTH DAY.

SENATE CHAMBER,
TWENTY-SECOND LEGISLATURE }
Austin, April 3, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—28.

Atlee,	Harrison,	Pope,
Burney,	Johnson,	Potter,
Carter,	Kearby,	Seale,
Clemens,	Kimbrough,	Simkins,
Crauford,	Lubbock,	Sims,
Finch,	Maetze,	Stephens,
Frank,	McKinney,	Townsend,
Garwood,	Mott,	Tyler,
Glasscock,	Page,	Weisiger.
		Whatley.

ABSENT—1.

Crane.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the journal, on motion of Senator Kimbrough, the further reading of the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Carter:

Petitions from citizens of Fort Worth and Tarrant county, asking that certain bills now pending, having in view the security of titles in Tarrant and other counties, be passed.

Read first time and ordered to lie on the table subject to call.

The following reports were handed in from their respective committees:

COMMITTEE ROOM,

AUSTIN, April 2, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Commerce and Manufactories, to whom was referred

Substitute House bills Nos. 498 and 520, being "an act for the preservation of oysters and oyster beds, and for protecting the rights of persons to the same, and affixing penalties and providing locations for planting oysters,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 4, page 14, after the word "exceeding," by striking out the word "two" and insert in lieu thereof the word "five," and in same line after the word "hundred" insert the words "and thirty-eight."

Amend section 9, page 4, lines 22 to 30 inclusive by striking out entire section.

All of which is respectfully submitted.

MOTT, Chairman.

COMMITTEE ROOM,

Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Counties and County Boundaries, to whom was referred

Senate bill No. 192, being "A bill to be entitled an act to create and provide for the organization of the county of Sealy,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

STEPHENS, Chairman.

COMMITTEE ROOM,

Austin, April 3, 1891.

Hon Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate substitute bill No. 370, being "An act to validate patents heretofore issued by virtue of Confederate veteran donation land certificates."

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,
Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 323, being "An act to amend section 9. of 'An act to authorize any city or town in this state to compromise existing indebtedness, and issue new bonds to be sold or exchanged for this purpose and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds, and to provide for the appointment of receivers for said municipal corporations during the pendency of negotiations for such compromise.'" Approved March 26, 1887.

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,
Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 341, being "An act to provide for the printing and publishing of certain volumes of the decisions of the supreme court of the State of Texas, and certain laws and decrees of Coahuila and Texas, and to make appropriations for the payment therefor."

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,
Austin, April 2, 1891.

Hon. George C. Pendleton, President of the Senate.

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate joint resolution No. 14, to amend section 2 of article 10 of the constitution of the state in relation to railroads,

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,

Austin, April 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—We, a minority of your committee on Penitentiaries, to whom was referred.

House bill No. 138, being "An act to regulate the sale of the products of the penitentiaries, to prevent discriminations therein and to prescribe penalties for the violation of the provisions of this act."

Have had the same under consideration, and we beg to report the same back to the Senate with the recommendation that it do pass, for the following reasons, to-wit:

That discriminations are made in the sale of penitentiary products. That the board has heretofore established agencies in towns for the sale of their products with exclusive privileges of selling same to the public detriment. We believe there would be a better sale of penitentiary goods if the practice of giving one man in a town the exclusive right of handling them were abolished.

PAGE.

MCKINNEY.

COMMITTEE ROOM.

Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Penitentiaries to whom was referred

House bill No. 138, being a bill to be entitled "An act to regulate the sale of the products of the penitentiaries to prevent discriminations therein, and to prescribe penalties for the violations of the provisions of this act,"

Have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the Senate with the recommendation that it do not pass.

FRANK, Chairman.

COMMITTEE ROOM.

Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate.

Sir—Your committee on Education, to whom was referred

Senate bill No. 381, being "A bill to be entitled an act to provide for taking the scholastic census of counties, under the district and community systems, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

GLASSCOCK, Chairman.

BILLS AND RESOLUTIONS.

Resolution by Senator Potter:

Whereas, the session is nearing a close, and there is yet a large amount of business to be transacted by this Legislature; and,

Whereas, there are a number of members of each house that cannot remain but a few days longer of the session; and,

Whereas, the people all over the state are clamoring for this Legislature to finally adjourn. These facts, as well as many others, renders it inexpedient for the Legislature to accept the invitation of the railroads and the people of Aransas Pass, to visit said city and become the guest of such railroad and such city. Therefore,

Be it resolved by the Senate of Texas, the House concurring, that the President of the Senate and Speaker of the House be requested to notify the parties sending the invitation to make such visit that the Legislature cannot accept such invitation, but is thankful for the same.

POTTER.

Senator Kimbrough moved to refer the resolution to the committee on rules.

Adopted by the following vote:

YEAS—14.

Atlee,	Johnson,	Seale,
Carter,	Kearby,	Stephens,
Frank,	Kimbrough,	Tyler,
Garwood,	Mott,	Whatley.
Harrison,	Page,	

NAYS—13.

Burney,	Lubbock,	Potter,
Olemons,	Maetze,	Simkins,
Ora ford,	McKinney,	Sims,
Finch,	Pope.	Weisiger.
Glasscock,		

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
 TWENTY-SECOND LEGISLATURE, }
 Austin, Tex., April 3, 1891. }
 Hon. George C. Pendleton, President }
 of the Senate, }
 Sir—I am directed by the House to

inform you of the passage of the following bills:

Substitute House bill No. 481, a bill to be entitled, "An act to amend sections 11, 14 and 15 of an act to amend sections 5, 8, 11, 13, 14, 15 and 22, chapter 99, of an act entitled 'An act to provide for the sale of all lands heretofore surveyed and set apart for the benefit of the public free schools, the university and the several asylums, and the lease of such lands and of the public lands of the State, and to prevent the free use, occupancy, unlawful enclosure or unlawful occupancy of such lands, and to prescribe and provide adequate penalties therefor. Approved April 1, 1887; approved April 8, 1889.'"

Also, substitute Senate bill No. 100, "An act to amend an act entitled an act to amend article 566, chapter 2, title 20, of the revised statutes of the State of Texas, as amended by the Twentieth Legislature, approved March 23, 1887, and as amended at the special session of the Twentieth Legislature, approved April 30, 1888, with amendments."

Respectfully,

GEO. W. FINGER,

Acting Chief Clerk of the House of Representatives.

By Senator Burney:

CONCURRENT RESOLUTION.

Whereas, through a slight misunderstanding between the citizens of New Orleans and a few Italian assassins rendezvousing in said city, the Italian minister, duly accredited to this government by his Royal Majesty, the King of Italy, has rather unceremoniously indicated to our honored secretary of state, James G. Blaine, that he is about to take his departure and demand his passport; and

Whereas, his imperial highness, Marquis de Rudini, premier of Italy, has very graciously condescended to indicate certain defects in the constitution of the United States and to demand their correction; and

Whereas, this subject is a matter of great public concern and of such necessity and importance as to demand a speedy change of our Constitution to conform to the wishes and views of the Driebund of Europe, therefore be it

Resolved, by the Senate of Texas,

the House of Representatives concurring, that our members of congress be, and are hereby requested to give the valuable suggestions of the Italian Premier their special and individual attention to the end, that our organic law may be so changed as to meet the approval of his majesty, the King of Italy, as well as that of all the other crowned heads of Europe.

On motion of Senator Carter the resolution was referred to the committee on Federal Relations.

The chair announced that as the committee work was nearly all completed he would assign Committee Clerks Feagle, Pope and Woods, to assist Enrolling Clerk Strittmatter; Committee Clerks Wilson and Childers to assist Engrossing Clerk Weaver, and Committee Clerks Hancock, Allen and Earle to perform general committee work in the Senate.

Senator Kimbrough moved to suspend pending business and take up Senate bill No. 100, entitled "An act to amend an act entitled 'An act to amend article 566, chapter 2, title 20 of the Revised Statutes of the State of Texas, as amended by the Twentieth Legislature, approved March 23, 1887, and as amended at the special session of the Twentieth Legislature, approved April 30, 1889.'"

In order to consider the amendments attached to the bill by the House.

Adopted.

The House amendments are as follows:

Senate bill No. 100.

AMENDMENTS.

1. Amend subdivision 7 of article 556 by adding thereto the words "which may be used for any or all modes of travel and transportation."

2. Amend subdivision 11 by inserting after the word "steamboat" the words "and vessels."

3. Substitute subdivision 13, so as to read "the manufacture and supply of gas, and the supply of light and heat, or either of them to the public by any means."

4. And at the end of subdivision 28 the words "and wharfs" and strike out the word "and" in line

5. Add subdivision as follows: "to act as trustee, or assignee, or receiver, when designated by any person, corporation or court so to do, and to do a

general fiduciary and depository business. To act as surety and guarantor of the fidelity of employees. To act as executor and testamentary guardian when designated as such by a decedent. Provided, that each corporation organized under this section shall publish in some newspaper of general circulation in the county where such company is organized, on the first day of February of each year, a statement of its condition on the previous 31st day of December, showing, under oath, its assets and liabilities, and that a copy of this statement be filed with the commissioner of insurance, statistics and history, and a fee of twenty five dollars is paid to that officer for filing the same, and that an examination of its affairs may be made at any time by the commissioner of insurance, statistics and history, such examination to be at the expense of the company.'

6. Add subdivision 38 as follows: "For establishing transportation companies with power to buy, construct, lease, own, operate, maintain and convey all kinds of steamships, vessels and other water crafts, and may navigate the same between all ports of the globe and upon rivers, and construct, buy, lease, own, maintain, operate and convey warehouses, docks and wharves, and to buy, lease, receive, own, hold and enjoy real and personal property necessary in the transaction of its business; to receive, purchase, hold, use and convey such rights, privileges, franchises and property, and to exercise such powers as may be granted to or conferred upon it by any foreign government, state or municipality; to have officers and agents and to maintain officers at all points at which the company may do business; to act as principal or agent in buying and selling merchandise in all foreign countries; to carry passengers, freight, express and mail.

7. Add sub-division 39 as follows: The establishment of land companies to buy own, sell and convey real estate in any state or foreign country; but such company shall only own such real estate in this state as may be necessary for its office.

Amend by adding to subdivision 21 the following:

But no street railway company shall ever be exempt from the payment of assessments that may be legally levied

charged against it for street improvements.

Amend article 556, subdivision 13, on page 2, line 20, by inserting after the word "heat" the words "or electric motor power."

Add to 8th amendment of committee the following: "But nothing contained in this act shall be construed to authorize any corporation to acquire hereafter, except at forced sale to satisfy a debt, any land outside of a city or town, except such as may be needed for manufacturing, mechanical and transportation purposes, for horticultural purposes, agricultural experiments, public fairs, exhibitions of stock and farm products."

Amend page 2, section 17, line 27, after the word "purchase" insert "and sale."

Amend on page 4, section 36, of the bill strike out all of lines 3, 4 and 5.

Amend by adding section 29 1-2 as follows:

"Corporations shall have power to borrow money on the credit of the corporation and to execute bonds or promissory notes to an amount not exceeding its authorized capital stock for the purpose of improving the property of such corporation or accomplishing the purpose for which said corporation was created, and for no other purpose; and if any corporation shall execute any bond or promissory note for any other purpose than above provided for in this article, said corporation shall forfeit its charter and the directors in such corporation shall be liable individually, jointly and severally for any debt owing by such corporation, including bonds or notes so executed.

Amend by adding the following subdivision:

37. All private corporations now claiming ownership in lands except as by this act specially permitted, shall within the period of ten years, alienate the same by conveying in severalty to individuals subject to the payment of such unsatisfied incumbrances and liens as may have been created before the passage of this act. Provided, that this act shall not apply to land necessary for transportation, mechanical, manufacturing and commercial purposes.

Amend section 29 by striking out "the accumulation and loan of money,"

and inserting "for building and loan associations or loans on real estate."

Amend subdivision 25, page 3, by striking out the words "in unbroken packages or wholesale lots" and insert in lieu thereof the following: "But the limitations upon stock and stockholders in corporations created under subdivision 24 of this article, shall not apply to corporations created under this subdivision."

Senator Kimbrough moved that the Senate do not concur in the House amendments and ask for a free conference committee.

Adopted.

And the Chair appointed Senators Kimbrough, Simkins, Burney, Sims and Garwood as such committee on the part of the Senate.

ORDER OF THE DAY.

Senate bill No. 124, entitled "An act to validate the locations and to direct that patents issue, on all surveys of not more than 320 acres of land in all counties organized prior to January 1, 1880, located on the unappropriated public domain of Texas by virtue of what is known as Texas veteran land certificates.

Taken up on second reading.

Question recurred to the following amendment by Senator Sims:

Amend by adding to the end of the bill an emergency clause, as follows:

Section 2. The necessity for the passage of this bill and the near approach of the close of the present session of the legislature creates an imperative public necessity, that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted, and that this act take effect and be in force from the passage, and it is so enacted.

Adopted.

The bill was refused engrossment by the following vote:

YEAS—8.

Atlee,
Harrison,
Maetze,

Pope,
Seale,
Sims.

Stephens,
Tyler.

NAYS—13.

Cranford,
Finch,
Frank,
Garwood,
Johnson.

Kearby,
Kimbrough,
McKinney,
Page,

Potter,
Simkins,
Weisiger,
Whatley.

Senator Kimbrough moved to reconsider the vote refusing engrossment to the bill, and asked to have that motion spread upon the journal.

Senator Kearby moved to postpone pending business and take up out of its regular order

Senate bill No. 345, entitled an act to amend section 2 of an act entitled "An act to provide for the organization of the state penitentiaries and for the more efficient management of the same," approved March 17, 1881.

Adopted, and bill read second time with favorable committee report.

The bill was ordered engrossed.

Senator Kearby moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—21.

Atlee,	Kearby,	Potter,
Cranford,	Kimbrough;	Seale,
Finch,	Lubbock.	Sims,
Frank,	Maetze,	Stephens,
Garwood,	McKinney,	Tyler.
Harrison,	Page.	Weisiger,
Johnson,	Pope,	Whatley.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—23.

Atlee.	Kearby,	Seale.
Clemens.	Kimbrough,	Sims,
Cranford.	Lubbock,	Stephens.
Finch,	Maetze,	Townsend,
Frank,	McKinney	Tyler.
Garwood,	Page,	Weisiger.
Harrison.	Pope,	Whatley.
Johnson,	Potter,	

NAYS—None.

Senator Frank moved to postpone pending business, and take up out of its regular order,

House bill No. 106, entitled "An act to provide for the issuance of certificates to teachers in the public schools of Texas, and prescribing their duties as such."

Adopted and bill read second time with a favorable committee report.

Senator Page moved to postpone consideration of the bill until next Tuesday, and made special order for that day, and from day to day until disposed of.

Lost.

Senator Crane moved to consider the bill by sections.

Lost.

The bill was passed to a third reading by the following vote:

YEAS—15.

Burney,	Garwood,	Seale,
Clemens,	Glasscock,	Simkins,
Crane,	Kimbrough,	Stephens,
Finch,	Maetze,	Tyler,
Frank.	McKinney,	Whatley.

NAYS—11.

Atlee,	Lubbock,	Sims,
Carter,	Page,	Townsend,
Harrison,	Pope,	Weisiger.
Kearby.	Potter,	

Senator Frank moved to suspend the constitutional rule requiring a bill to be read on three several days, and that the resolution pass to a third reading and final passage.

Lost by the following vote, not receiving the necessary four-fifths vote:

YEAS—18.

Burney.	Glasscock,	Seale,
Clemens.	Harrison.	Simkins,
Crane,	Johnson,	Stephens,
Finch,	Kearby,	Tyler.
Frank,	Kimbrough.	Weisiger.
Garwood.	Potter,	Whatley.

NAYS—7.

Atlee,	Page,	Sims,
Lubbock.	Pope.	Townsend.
Maetze,		

Senator Atlee moved to postpone pending business and take up out of its regular order

House bill No. 129, an act to protect stockraisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals, to make an appropriation therefor, and to repeal chapter 119 relating to same subject, approved April 2, 1887.

The motion was adopted by the following vote:

YEAS—16.

Atlee.	Glasscock,	Sims,
Burney,	Harrison,	Stephens,
Clemens,	Lubbock,	Tyler,
Crane,	Pope,	Weisiger.
Frank,	Seale,	Whatley,
Garwood,		

NAYS—8.

Finch,	Maetze,	Simkins,
Kearby,	Page.	Townsend.
Kimbrough,	Potter,	

By consent Senator Maetze sent up the following committee report:

COMMITTEE ROOM,

Austin, April 3, 1891.

Hon. George C. Pendleton, President of the Senate.

Sir—Your committee on Rules to whom was referred

Joint Resolution by Senator Potter, etc.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MAETZE, Chairman.

House bill No. 129 read second time with a favorable committee report.

Senator Page offered the following amendment:

Amend section 1 by striking out all of section after the word "Leopard," in line 7.

The Chair gave notice of signing and signed in the presence of the Senate after their titles had been read

House Substitute Substitute House bills Nos. 1, 3 and 58, entitled "An act to establish a railroad commission for the state of Texas, whereby discriminations and extortion in railroad charges may be prevented and reasonable freight and passenger tariffs may be established, to provide and authorize the making of rules and regulations to govern the commission and the railroads, and afford railroad companies and other parties adequate remedies, to prescribe penalties for the violation of this act and to provide means and rules for its enforcement, also

House bill No. 473, entitled "An act to amend chapter 1, article 13, of the penal code by adding thereto article 405a, also

House bill No. 387, "An act to restore to and confer upon the county courts of Marion and McCulloch counties the civil jurisdiction heretofore belonging to said counties under the constitution and general statutes of the state of Texas and conform the jurisdiction of the district courts of said counties to such change."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
TWENTY-SECOND LEGISLATURE,
Austin, April 3, 1891
Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am instructed to inform you that the House has appointed Messrs. McKinney, Brietz and Grasham a committee to investigate the receivership of the I. & G. N. railway company.

Respectfully,
GEO. W. FINGER,

Acting Chief Clerk, House of Rep's.
By consent the following report was handed in:

COMMITTEE ROOM,
Austin, April 3, 1891.
Hon. George C. Pendleton, President of the Senate:

Your committee on Cities and Towns, to whom was referred;

House bill No. 636, a bill to be entitled "An act to incorporate the city

of Austin and to grant it a new charter, and to extend its boundaries."

Have had the same under consideration, and instruct me to report it back with the recommendation that it do pass with the following amendment:

Amend section 35 by adding the following:

"The city council is hereby prohibited from incurring any expense or making any appropriation beyond the receipts of the treasury of said city, and no debt shall be incurred during any fiscal year except as otherwise provided in this charter, or under authority conferred by the Legislature, so that at the close of each fiscal year any obligation created during that year shall remain unpaid except in case of bonds issued as hereinbefore provided, and it is hereby made a misdemeanor for the mayor to draw a warrant upon the city treasurer except on written information from the said city treasurer that there is sufficient money in the treasury not otherwise set apart for the immediate payment of said warrant.

Such misdemeanor on the part of the mayor shall be punished by a trial for impeachment by the board of aldermen, and on conviction by a two-third's vote of a full board, by dismissal from office.

It is hereby also made a misdemeanor for any alderman to vote knowingly for an appropriation whereby debt shall be created in violation of the provisions of this act; and it shall be the duty of the city attorney to report to the grand jury of Travis county, any alderman for such violation of law, the penalty of which after trial and conviction shall be dismissed from office.

It shall be the duty of the city treasurer to report to the city council at their first regular meeting in each month, the balance of money in the treasury unappropriated.

All officers of the city shall take the oath of office prescribed by law for county officers, and the present city council shall exercise all of the powers and functions vested in the city council under this act.

POTTER, Chairman.

Senator Carter moved to indefinitely postpone the amendment of Senator Page to the pending bill, and the bill.

Senator Pope moved the previous question on the motion to postpone the bill and amendment indefinitely.

On the question shall the main

question be ordered the following vote was taken and the main question was ordered.

YEAS—17.

Atlee,	Maetze,	Stephens,
Burney,	Mott,	Townsend,
Clemens,	Pope,	Tyler,
Glasscock,	Seale,	Weisiger,
Johnson,	Simkins,	
Kimbrough,	Sims,	

NAYS—12.

Carter,	Frank,	Lubbock,
Crane,	Garwood,	McKinney,
Cranford,	Harrison,	Page,
Finch,	Kearby,	Potter,

Senator Kimbrough announced that he was paired with Senator Clark. If he was present he would vote "no." and he (Senator Kimbrough) would vote "aye."

On the question to indefinitely postpone the bill it was lost by the following vote:

YEAS—11.

Carter,	Kearby,	Potter,
Crane,	Lubbock,	Simkins,
Cranford,	McKinney,	Whatley,
Finch,	Page,	

NAYS—17.

Atlee,	Harrison,	Sims,
Burney,	Johnson,	Stephens,
Clemens,	Maetze,	Townsend,
Frank,	Mott,	Tyler,
Garwood,	Pope,	Weisiger,
Glasscock,	Seale,	

Senator Pope moved the previous question on the bill and the amendment.

Senator Carter moved a call of the Senate, which was ordered.

The following Senators answered to their names:

PRESENT—29.

Atlee,	Harrison,	Potter,
Burney,	Johnson,	Seale,
Carter,	Kearby,	Simkins,
Clemens,	Kimbrough,	Sims,
Crane,	Lubbock,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Mott,	Weisiger,
Garwood,	Page,	Whatley,
Glasscock,	Pope,	

Senator Lubbock moved to adjourn to 3 p. m., today.

Lost by the following vote:

YEAS—13.

Carter,	Kearby,	Page,
Crane,	Kimbrough,	Potter,
Cranford,	Lubbock,	Simkins,
Finch,	McKinney,	Whatley,
Frank,		

NAYS—16.

Atlee,	Johnson,	Sims,
Burney,	Maetze,	Stephens,
Clemens,	Mott,	Townsend,
Garwood,	Pope,	Tyler,
Glasscock,	Seale,	Weisiger,
Harrison,		

On the question, shall the main question be ordered, the following vote was taken, and the motion was adopted:

YEAS—17.

Atlee,	Johnson,	Sims,
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Burney,	Maetze,	Stephens,
Clemens,	Mott,	Townsend,
Garwood,	Pope,	Tyler,
Glasscock,	Seale,	Weisiger,
Harrison,	Simkins,	

NAYS—11.

Carter,	Frank,	McKinney,
Crane,	Kearby,	Page,
Cranford,	Kimbrough,	Whatley,
Finch,	Lubbock,	

Senator Potter moved that the Senate adjourn to 2 p. m. this day.

Senator Lubbock moved to adjourn to 2:45 this p. m.

Lost by the following vote:

YEAS—8.

Carter,	Frank,	Potter,
Crane,	Lubbock,	Whatley,
Finch,	McKinney,	

NAYS—17.

Atlee,	Johnson,	Sims,
Burney,	Maetze,	Stephens,
Clemens,	Mott,	Townsend,
Garwood,	Pope,	Tyler,
Glasscock,	Seale,	Weisiger,
Harrison,	Simkins,	

The amendment of Senator Page was lost by the following vote:

YEAS—5.

Finch,	Kimbrough,	Whatley,
Frank,	McKinney,	

NAYS—16.

Atlee,	Johnson,	Sims,
Burney,	Maetze,	Stephens,
Clemens,	Mott,	Townsend,
Garwood,	Pope,	Tyler,
Glasscock,	Seale,	Weisiger,
Harrison,		

HOUSE BILLS REFERRED.

Substitute House bill No. 481, entitled an act to amend sections 11, 13 and 15 of an act to amend sections 7, 8, 11, 13, 14, 15 and 22, chapter 99, of an act to provide for the sale of all lands heretofore surveyed and set apart for the benefit of the public free school, the university and the several asylums, and the lease of such lands and of the public lands of the state, and to prevent the free use, occupancy unlawful enclosure or unlawful appropriation of such lands and to prescribe and provide adequate penalties therefor, approved April 1, 1887, approved April 8, 1889.

Read first time and referred to committee on Public Lands.

The chair announce the committee on the part of the Senate to investigate the International receivership to be Senators Crane and Garwood.

By consent the following minority report was presented:

Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—A minority of your committee on Counties and County Boundaries, to whom was referred

Senate bill No. 192, being "A bill to be entitled an act to create and provide for the organization of the county of 'Sealy,'" "

Have had the same under consideration, and we, a minority of your committee, beg leave to report the same back to the Senate with the recommendation that it do pass, for the following reasons, to-wit:

1st. Because the people of the proposed new county are now seriously and unjustly inconvenienced, and the counties from which it is proposed to be created are large and able to spare the territory.

2d. Because in our opinion no good and sufficient reason has been urged why said county should not be created, but reasons urged against it chiefly sentimental.

TOWNSEND,
CRANE.

The pending bill was ordered to a third reading.

By the following vote:

YEAS—16

Atlee,	Johnson,	Sims,
Burney	Maetze,	Stephens,
Clemens	Mott,	Townsend,
Garwood,	Pope,	Tyler.
Glasscock,	Seale,	Weisiger.
Harrison,		

NAYS—11.

Carter,	Frank,	McKinney,
Crane,	Kearby,	Page,
Cranford,	Kimbrough,	Whatley.
Finch,	Lubbock,	

Senator Townsend moved to reconsider the vote by which the bill was ordered to a third reading, and to lay that motion on the table.

On motion of Senator Lubbock the Senate adjourned to 3:30 p. m. today.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following senators answering to their names:

PRESENT—23.

Atlee,	Johnson,	Seale,
Carter,	Kearby,	Simkins,
Clemens,	Kimbrough,	Sims,
Finch,	Lubbock,	Stephens,
Frank,	Maetze,	Townsend,
Garwood,	McKinney,	Tyler.
Glasscock,	Page,	Whatley.
Harrison,	Potter,	

Senator Carter moved to postpone pending business and take up out of its regular order

House bill No. 636, entitled "An act to incorporate the city of Austin, to grant it a new charter and extend its boundaries.

Adopted.

Bill read second time with the following amendments:

Amend section 35, by adding the following:

The city council is hereby prohibited from incurring any expense or making any appropriation beyond the receipts of the treasury of said city, and no debt shall be incurred during any fiscal year except as otherwise provided in this charter or under authority conferred by the legislature, so that at the close of any fiscal year any obligation created during that year shall remain unpaid except in case of bonds issued as hereinbefore provided. And it is hereby made a misdemeanor for the mayor to draw a warrant upon the city treasurer except on written information from the said city treasurer that there is sufficient money in the treasury not otherwise set apart for the immediate payment of said warrant. Such misdemeanor on the part of the mayor shall be punished by a trial for impeachment by the board of aldermen, and on conviction by a two-thirds vote of a full board by dismissal from office.

It is hereby also made a misdemeanor for any alderman to vote knowingly for any appropriation whereby debt shall be created in violation of the provisions of this act; and it shall be the duty of the city attorney to report to the grand jury of Travis county any alderman for such violation of law, the penalty of which, after trial and conviction, shall be dismissal from office.

It shall be the duty of the city treasurer to report to the city council at their first regular meeting in each month the balance of money in the treasury unappropriated.

All officers of the city shall take the oath of office prescribed by law for county officers, and the present city council shall exercise all of the powers and functions vested in the city council under this act."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
TWENTY-SECOND LEGISLATURE,
Austin, Texas, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am instructed by the House to inform you that the request of the Senate is granted for a free conference committee on Substitute Senate bill No. 100, known as the private corporation bill and Messrs. Swayne, Gresham, Agnew, Malone and Crayton were appointed.

Respectfully,

GEO. W. FINGER,

Acting Chief Clerk, House of Representatives.

The committee amendment to the pending bill was lost.

Senator Page offered the following amendment:

Amend section 56 by inserting after the word "trustee" in line 4 the following: "City marshal, city attorney, city assessor and collector, city treasurer, city recorder, city engineer and superintendent of streets, who shall be elected at the same time the mayor is elected, and shall hold their offices for the same length of time."

Withdrawn.

The bill passed to a third reading.

Senator Carter mover to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—25.

Atlee	Glasscock,	Potter,
Burney,	Harrison,	Seale,
Carter,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page	Whatley.
Garwood,		

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—24.

Atlee,	Garwood,	Potter,
Burney,	Glasscock,	Seale,
Carter,	Harrison,	Simkins,
Clemens,	Johnson,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Maetze,	Townsend,
Finch,	McKinney,	Tyler,
Frank,	Page,	Whatley.

NAYS—1.

Kearby.

Senator Crane moved to correct the Journal of March 27, on page 13, to show, on Senator Clark's motion to reconsider the vote adopting the report of the committee on Substitute House bill, Nos. 1, 3 and 58, and to lay that

motion on the table, that the motion to table was adopted.

The motion prevailed.

Senator Tyler moved to postpone pending business and take up out of its regular order,

House bill No. 38, entitled an act to amend article 259, title 8, chapter 6, of the penal code.

Adopted, and bill read second time with a favorable committee report.

Senator Tyler offered the following amendment:

Section 2. The near approach of the close of the present session of the legislature creates an emergency justifying the suspension of the constitutional rule requiring bills to be read on three several days and said rule is hereby suspended and that this act take effect from and after its passage, and it is so enacted.

Adopted.

The bill was passed to a third reading.

Senator Tyler moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—25.

Atlee,	Glasscock,	Page,
Burney,	Harrison,	Potter,
Carter,	Johnson,	Seale,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend.
Finch,	Maetze,	Tyler.
Frank,	McKinney,	Whatley.
Garwood.		

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—21.

Atlee,	Glasscock,	Potter,
Burney,	Harrison,	Seale,
Crane,	Johnson,	Sims,
Cranford,	Kimbrough,	Stephens,
Finch,	Lubbock,	Townsend,
Frank,	Maetze,	Tyler,
Garwood,	McKinney,	Whatley.

NAYS—3.

Carter, Clemens, Page,

Senator Crane moved to reconsider the motion by which House bill No. 636, entitled "An act to incorporate the city of Austin, to grant it a new charter and to extend its boundaries."

Was passed, and to lay that motion on the table.

The motion to table prevailed.

Senator Carter moved to postpone pending business and take up out of its regular order,

Substitute House bill No. 136, entitled "An act making abstracts of land titles or land title abstract books to lands in the State, compiled from the records of any county in the State (prior to the year 1877) which said records were partially or wholly destroyed or lost from any cause (during the month of March, 1876) competent (prima facie) evidence of the truth of the data or memoranda shown by such abstracts of land titles or land title abstract books subject to certain conditions."

Adopted and bill read second time with favorable committee report.

Senator Frank offered the following amendment:

Amend by adding to the end of section 1 the following:

Provided that nothing herein contained shall ever be construed to in any way effect or apply to any suit or suits now pending in the courts of this state.

Senator Potter offered the following amendment to the amendment:

Amend by adding to the amendment of Senator Frank the following:

And providing further that the provisions of this act shall not apply if it can be shown by competent evidence that any of such deeds were improperly recorded.

Adopted.

The amendment as amended was adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
Twenty-second Legislature,
Austin, April 3, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you of the passage of the following bill:

House bill No. 639, "An act to amend section 174 of an act entitled an act to amend the charter of the city of Galveston, by amending sections 3, 5, 14, 17, 20, 23, 28, 29, 41, 70, 78, 79, 95, 127, 128, 155, 156 and 159 thereof, and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 169a, 174 and 175, passed at the present session of the legislature."

Also, that the House has agreed to the Senate amendments to

House bill No. 88, "An act to amend articles 259, title 8, chapter 6, of the Penal Code."

Respectfully,

GEO. W. FINGER,
Acting Chief Clerk, House of Representatives,

HOUSE BILLS REFERRED.

House bill No. 639, entitled "An act to amend section 174 of an act entitled 'An act to amend the charter of the city of Galveston, to amend sections 3, 5, 11, 17, 20, 23, 28, 29, 41, 70, 78, 79, 94, 127, 128, 155, 156, 159, thereof and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 174 and 175, passed at the present session of the legislature.'"

Read first time and referred to committee on Incorporated Cities and Towns,

The pending bill was passed to a third reading.

Senator Carter moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote.

YEAS—24.

Atlee,	Garwood,	Page,
Burney,	Glasscock,	Pope,
Carter,	Johnson,	Potter,
Clemens,	Kearby,	Seale,
Crane,	Kimbrough,	Sims,
Cranford,	Lubbock,	Stephens,
Finch,	McKinney,	Townsend,
Frank,	Mott,	Whatley.

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—18.

Atlee,	Garwood,	Page,
Burney,	Johnson,	Pope,
Carter,	Kimbrough,	Potter,
Clemens,	Lubbock,	Sims,
Crane,	McKinney,	Townsend,
Cranford,	Mott,	Whatley.

NAYS—5.

Finch,	Kearby,	Stephens.
Frank,	Seale,	

Senator McKinney moved to postpone pending business and take up out of its regular order,

Senate bill No. 136, entitled, "An act to regulate the disbursement of all money belonging to the several counties of this state, and to prevent the use of same for purposes unauthorized by law."

Adopted, and bill read second time with a favorable committee report.

Senator McKinney offered the following amendment:

Amend by adding

Section 4. The fact that there is but a short time till the adjournment sine die of this legislature renders it impossible that the bill may be read on three several days, therefore an emergency exists for the suspension of the constitutional rule requiring bills to be read

on three several days, and it is so suspended.

Adopted.

The bill was ordered engrossed.

Senator McKinney moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—26.

Atlee,	Johnson,	Potter,
Burney,	Kearby,	Seale,
Clemens,	Kimbrough,	Simkins,
Crane,	Lubbock,	Sims,
Cranford,	Maetze,	Stephens,
Finch,	McKinney,	Townsend,
Frank,	Mott,	Tyler,
Garwood,	Page,	Whatley,
Glasscock,	Pope,	

NAYS—None.

Bill read third time and passed by the following vote:

YEAS—20.

Atlee,	Harrison,	Potter,
Burney,	Johnson,	Simkins,
Clemens,	Lubbock,	Sims,
Crane,	Maetze,	Townsend,
Cranford,	McKinney,	Tyler,
Finch,	Mott,	Whatley,
Frank,	Pope,	

NAYS—7.

Garwood,	Kimbrough,	Seale,
Glasscock,	Page,	Stephens,
Kearby,		

Senator Frank moved to suspend pending business and take up out of its regular order

Senate bill No. 175, entitled "An act to purchase state convict farms and improve and stock the same and to work convicts thereon and to make an appropriation therefor.

Adopted by the following vote:

YEAS—17.

Atlee,	Garwood,	Seale,
Clemens,	Glasscock,	Sims,
Crane,	Johnson,	Stephens,
Cranford,	McKinney,	Tyler,
Finch,	Pope,	Whatley,
Frank,	Potter,	

NAYS—6.

Kearby,	Lubbock,	Page,
Kimbrough,	Maetze,	Simkins,

By consent the following report was presented:

COMMITTEE ROOM.

Austin, April 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Towns, Cities and Corporations to whom was referred

House bill No. 639, being "A bill to be entitled an act to amend section 174

of an act entitled an act to amend the charter of the city of Galveston by amending sections 3, 5, 14, 17, 20, 23, 28, 29, 41, 70, 77, 79, 95, 127, 128, 155, 156, 159, thereof and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 174 and 175, passed at the present session of the legislature, approved 4, 1891."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POTTER, Chairman.

Senator Pope moved to postpone the pending bill till the 25th of April, 1891.

Senator Tyler moved as a substitute to postpone it until April 25th, 1892.

Adopted.

Senator Frank moved that the vote postponing the bill be reconsidered.

Senator Pope moved to lay the motion on the table.

The motion to table prevailed by the following vote:

YEAS—14.

Atlee,	Lubbock,	Simkins,
Burney,	Mott,	Sims,
Finch,	Page,	Stephens,
Garwood,	Pope,	Tyler,
Johnston,	Potter,	

NAYS—12.

Clemens,	Glasscock,	McKinney,
Crane,	Kearby,	Seale,
Cranford,	Kimbrough,	Townsend,
Frank,	Maetze,	Whatley,

Senator Mott moved to suspend the constitutional rule requiring bills to be read on three several days, and that

House bill No. 639, entitled "An act to amend section 174 of an act entitled an act to amend the charter of the city of Galveston by amending sections 3, 5, 14, 17, 20, 23, 28, 29, 41, 70, 78, 79, 95, 127, 128, 155, 156, 159 thereof, and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130a, 132c, 164a, 169a, 174 and 175, passed at the present session of the legislature, approved April 3d, 1891."

Be passed to a second reading.

Adopted by the following vote.

YEAS—22.

Atlee,	Johnson,	Page,
Burney,	Kearby,	Pope,
Clemens,	Kimbrough,	Seale,
Crane,	Lubbock,	Sims,
Cranford,	Maetze,	Stephens,
Finch,	McKinney,	Tyler,
Garwood,	Mott,	Whatley,
Glasscock,		

NAYS—None.

The bill read second time and passed to a third reading.

Senator Mott moved to further sus-

pend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

NAYS—26.

Atlee,	Glasscock,	Potter,
Burney,	Johnson,	Seale,
Carter,	Kimbrough,	Simkins,
Clemens,	Lubbock,	Sims,
Crane,	Maetze,	Stephens,
Cranford,	McKinney,	Townsend,
Finch,	Mott,	Tyler,
Frank,	Page,	Whatley.
Garwood,	Pope,	

NAYS—None.

The bill was read third time and passed by the following vote:

YEAS—24.

Atlee,	Kearby,	Potter.
Burney,	Kimbrough,	Seale,
Clemens,	Lubbock,	Simkins,
Crane,	Maetze,	Sims,
Cranford,	McKinney,	Stephens,
Finch,	Mott,	Townsend,
Garwood,	Page,	Tyler,
Johnson,	Pope,	Whatley.

NAYS—None.

Senator Townsend moved to postpone pending business, and take up out of its regular order,

Substitute House bill Nos. 16 and 109, entitled "An act to amend article 4278, of the Revised Civil Statutes of the State of Texas, as amended by an act approved April 8, 1889."

Adopted by the following vote:

YEAS—20.

Atlee,	Lubbock,	Sims,
Crane,	Maetze,	Simkins,
Cranford,	McKinney,	Stephens,
Finch,	Mott,	Townsend,
Garwood,	Page,	Tyler,
Johnson,	Pope,	Whatley.
Kearby,	Seale,	

NAYS—3.

Frank, Kimbrough, Potter,

The following reports, by consent, were presented:

COMMITTEE ROOM,
Austin, April 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Internal Improvements, to whom was referred

House bill No. 482, being "A bill to be entitled an act to amend article 4113 of the revised civil statutes of the state of Texas, and to validate all charter amendments in accordance with the article amended,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Chairman.

COMMITTEE ROOM,
Austin, March 30, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts, to whom was referred

House Bill No. 591, being a bill to be entitled "An act to amend section 23, of and act entitled 'An act to redistrict the state into judicial districts and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883.'"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TOWNSEND, Chairman.

Senator Simkins moved to suspend pending business and go into executive session.

Adopted.

IN SENATE.

Senator Kearby moved to postpone pending business and take up out of its regular order Senate joint resolution No. 14.

Adopted by the following vote:

YEAS—20.

Atlee,	Johnson,	Simkins,
Burney,	Kearby,	Sims,
Cranford,	Lubbock,	Stephens,
Finch,	Maetze,	Townsend,
Garwood,	McKinney,	Tyler,
Glasscock,	Mott,	Whatley.
Harrison,	Page,	

NAYS—3.

Frank, Kimbrough, Seale.

The chair gave notice of signing, and signed in presence of the Senate after its title had been read,

House bill No. 639, entitled "An act to amend section 174 of an act entitled an act to amend the charter of the city of Galveston by amending sections 3, 5, 14, 17, 20, 28, 29, 41, 70, 78, 79, 95, 127, 128, 155, 156, 159, thereof, and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 174 and 175, passed at the present session of the Legislature."

Senate Joint Resolution No. 14, to amend section 2, of article 10, of the constitution of the state relating to railroads.

Read third time.

Senator Page moved the previous question, which was ordered.

The Senate Joint Resolution was lost by the following vote, not having received a constitutional majority:

YEAS—16.

Atlee,	Glasscock,	Mott,
Burney,	Harrison,	Page,
Cranford,	Johnson,	Seale,
Frank,	Kearby,	Townsend,
Garwood,	Lubbock,	Tyler,
		Whatley.

NAYS—9.

Crane,	Maetze,	Simkins,
Finch,	McKinney,	Sims,
Kimbrough,	Potter,	Stephens.

Senator Townsend moved to postpone pending business and take up, out of its regular order

House bill No. 20, entitled "An act to amend title 17, chapter 6, of the Revised Civil Statutes of the State of Texas by adding thereto articles 445a and 445b.

Adopted.

Senator Garwood moved to postpone the bill indefinitely.

Adopted.

Senator Burney moved to postpone pending business, and take up out its regular order.

House bill No. 461, entitled "An act for the protection of the wool growing interests of the State of Texas, and to repeal chapter 54, of the acts of the Eighteenth Legislature, approved April 4, 1883, and chapter 14, of the acts of the Nineteenth Legislature, approved February 20, 1885."

Adopted, and the bill read second time with a favorable committee report.

The bill was passed to a third reading.

Senator Burney moved to suspend the constitutional rule requiring a bill to be read on three several days in each house, and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—25.

Atlee,	Harrison,	Page,
Burney,	Johnson,	Potter,
Crane,	Kearby,	Seale,
Cranford,	Kimbrough,	Simkins,
Finch,	Lubbock,	Sims,
Frank,	Maetze,	Stephens,
Garwood,	McKinney,	Townsend,
Glasscock,	Mott,	Tyler,
		Whatley.

NAYS—None.

Bill read third time and passed.

Senator Potter moved to reconsider the vote by which the Senate refused to pass Senate joint resolution No. 14, and asked to have that motion spread upon the journal.

The chair announced that

W. J. Wingate of Runnels county, had been confirmed as judge of the Thirty-fifth judicial district of the state of Texas

And that Stephen Smith, R. E. Prince and J. W. Edens of Corsicana,

had been confirmed as the board of managers of the State Orphan Asylum.

The chair gave notice of signing and signed in the presence of the Senate after its title had been read House bill No. 636, entitled "An act to incorporate the city of Austin, to grant it a new charter and extend its boundaries."

Senator Tyler moved to postpone pending business and take up out of its regular order

Senate bill No. 381, entitled "An act to provide for taking the scholastic census of counties under the district and community systems, and to repeal all laws in conflict herewith.

Adopted, and bill read second time with a favorable committee report.

Senator Tyler offered the following amendment:

The near approach of the end of the session creates an emergency requiring the suspension of the constitutional rule requiring all bills to be read on three several days, and said rule is hereby suspended.

Adopted.

Senator Garwood moved to reconsider the vote by which the Senate indefinitely postponed House bill No. 20, and to lay that motion on the table.

The motion to table prevailed.

Senator Townsend moved to adjourn to 10 a. m. tomorrow.

Senator Atlee moved to adjourn to 10 o'clock Tuesday morning.

Adopted by the following vote:

YEAS—14.

Atlee,	Johnson,	Sims,
Frank,	Kimbrough,	Stephens,
Garwood,	Maetze,	Tyler,
Glasscock,	Mott,	Whatley.
Harrison,	Page,	

NAYS—11.

Burney,	Kearby,	Seale,
Crane,	Lubbock,	Simkins,
Cranford,	McKinney,	Townsend,
Finch,	Potter,	

SEVENTIETH DAY.

SENATE CHAMBER,
Austin, April 7, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

No quorum present.

The following Senators answering to their names: